

Ordinary Meeting of Council

to be held at the Civic Centre, Civic Drive, Greensborough
on Tuesday 29 May 2018 commencing at 7.30pm.

Minutes

Mark Stoermer
Chief Executive Officer

Tuesday 29 May 2018

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
Telephone 9433 3111
Facsimile 9433 3777

Website www.nillumbik.vic.gov.au

Email nillumbik@nillumbik.vic.gov.au

Domin je ka

Nillumbik Shire Council

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Nillumbik Shire Council

Minutes of the Ordinary Meeting of Nillumbik Shire Council held Tuesday 29 May 2018. The meeting commenced at 7 .30pm

Councillors present:

Cr Grant Brooker	Blue Lake Ward
Cr Karen Egan	Bunjil Ward
Cr John Dumaresq	Edendale Ward
Cr Peter Perkins	Ellis Ward
Cr Jane Ashton	Sugarloaf Ward
Cr Bruce Ranken	Swipers Gully Ward

Officers in attendance:

Mark Stoermer	Chief Executive Officer
Matt Kelleher	Director Services and Planning
Hjalmar Philipp	Director Sustainability and Place
Adrian Cully	Director Business and Strategy
Blaga Naumoski	Executive Manager Governance
Jeremey Livingston	Executive Manager Organisation Performance
Mitch Grayson	Chief of Staff to the Mayor and Councillors
Vince Lombardi	Executive Manager Finance
Lance Clark	Senior Procurement Specialist
Renaë Ahern	Acting Manager Planning and Health Services

1. Welcome

2. Reconciliation statement

The reconciliation statement was read by the Deputy Mayor, Cr Karen Egan.

3. Prayer

A prayer was read by Rev'd Dr Tim Johnson, Senior Minister of the Anglican Parish of Diamond Creek.

4. Apologies

Cr Peter Clarke was an apology.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr Grant Brooker

That Cr Clarke's apology be accepted.

CARRIED

5. Presentations

Cr Peter Perkins recognised and congratulated Carstens Beyers (Ellis Ward) for his selection to represent Victoria at the Judo National Championships in Queensland. Cr Perkins presented Carstens with \$150 as a contribution and a certificate.

Nillumbik Shire Council wishes them every success with their future sporting pursuits.

6. Confirmation of minutes

Confirmation of minutes of the Council Meeting held on Tuesday 1 May 2018.

Council Resolution

MOVED: Cr Bruce Ranken
SECONDED: Cr Grant Brooker

That the minutes of the Council Meeting held on Tuesday 1 May 2018 be confirmed.

CARRIED

7. Disclosure of conflicts of interest

Nil

8. Petitions

PT.002/18

A petition containing **25** signatures from residents requests the closure of Allendale Road (East) and Donaldson Road, to through traffic.

Council Resolution

MOVED: Cr Jane Ashton
SECONDED: Cr John Dumaresq

That Council:

1. Receives the petition regarding the closure of Allendale Road (East) and Donaldson Road, to through traffic.
2. Refers this matter to the Director Sustainability and Place for consideration in the next report to Council on this matter.
3. Advises the petition organiser accordingly.

CARRIED

9. Questions from the gallery

The Chairperson, Deputy Mayor Cr Egan, responded to the following questions submitted.

Liam Kay asked Council:

The 17th of May was International Day Against Homophobia, Biphobia, Intersexism, and Transphobia, also known as IDAHOBIT.

1. Did Nillumbik Council do anything for IDAHOBIT, and will anything be done differently for next year?
2. Going on from my first question, has council made any progress on improving the shire's inclusivity, particularly for LGBTI people?

Response from Chairperson, Deputy Mayor Egan:

IDAHOBIT celebrations this year (17 May) involved several Council worksites, hosting well-attended staff Rainbow Bake-offs. Eltham library hosted family story-time, workshops and panel discussions.

Council's IDAHOBIT celebrations were used to announce a grant program, aimed at supporting LGBTI organisations and Nillumbik's broader LGBTI community.

The purpose of the grant is to support the community to identify and deliver projects, events and programs which will respond to the needs and aspirations of the LGBTI community. \$500 per grant, with a maximum grant pool of \$5,000 will be available. This grant program is currently being developed and will be promoted to the community in August this year.

This is not a one off initiative; it will be an annual grant program and an ongoing commitment to our community. In 2019, the grant program will focus on supporting community based IDAHOBIT celebrations.

Council recently appointed an Inclusion Officer to support our LGBTI community, in addition to establishing an inclusion framework. This framework is about Councils commitment to ensure that all Council services, projects and events are inclusive and welcoming of community members who identify as LGBTI and their families.

Alexander Collum asked Council:

After holding the August Future Nillumbik Committee meeting in Hurstbridge last year, is Council considering taking further meetings 'on the road', and will Council take advantage of this opportunity and couple it with a community forum, as Whittlesea Council did in March last year when they held their council meeting in Mernda?

Response from Chairperson, Deputy Mayor Egan:

Council is committed to ensuring that the community has greater accessibility to Council meetings.

As you are aware we held our Future Nillumbik Committee in Hurstbridge last year and this is something Council is willing to undertake again.

We are always open to exploring new ways that encourages greater community involvement in Council meetings.

Officers will report back to Council with a potential schedule including venue options to hold future Council meetings.

Ben Ramcharan asked Council:

The Nillumbik Greens like to regularly review planning applications in Nillumbik. When viewing development applications on the Council website, there is a link to "View Planning Application Documents" but this link consistently leads to a page where we are told that we need to visit the Shire offices to view the documents. In our digital age, providing documents online is crucial to allow members of the community to remain informed about planning applications which may affect them.

1. Why are the documents not readily available online?
2. Will Nillumbik Council follow the lead of councils such as Maroondah Council and Melbourne City Council and fix this issue? If so, how long will it take?

Response from Chairperson, Deputy Mayor Egan:

Council is in the process of undertaking a review to move more of our core business into the digital space. This project is expected to take 18 months to fully implement.

In the interim, as of Thursday 24 May, all new planning applications received after that date undergoing public notice are now publically available to view on Council's website.

The review will include moving our planning service online so that applications can be lodged and processed electronically, negating the need to work from paper plans in the future, or needing to visit the Civic Centre to review plans for applications on advertising.

10. Reports of Advisory Committees

AC.004/18 Advisory Committee Report

File:

Distribution: Public

Manager: Blaga Naumoski, Executive Manager Governance

Author: Emma Christensen, Governance Officer

Council has a range of Advisory Committees which provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation. Although they do not make any formal decisions, they provide valuable advice to Council.

In accordance with Advisory Committee Terms of Reference, the minutes of meetings are presented to Council. This month, the following minutes are attached for information:

- Arts Advisory Committee held on 27 November 2017.
- Arts Advisory Committee held on 26 February 2018.
- Environment and Sustainability Advisory Committee held on 18 April 2018.

Council Resolution

MOVED: Cr Jane Ashton

SECONDED: Cr Grant Brooker

That Council notes the:

1. Arts Advisory Committee meeting minutes held on 27 November 2017.
2. Arts Advisory Committee meeting minutes held on 26 February 2018.
3. Environment and Sustainability Advisory Committee meeting minutes held on 18 April 2018.

CARRIED

11. Reports of Special Committees

Nil

12. Officers' reports

OCM.073/18 2017-2018 Audit Committee Chairperson's report

File: 20/15/006

Distribution: Public

Manager: Vince Lombardi, Manager Finance

Author: Melika Sukunda, Financial Accountant

Summary

As outlined in the good practice guide for Local Government Audit Committees, the Chairperson of the Audit Committee should present a report to Council on the activities of the Committee over the preceding financial year. Linda MacRae, Chair of the Audit Committee will present her report to the Ordinary Council Meeting on the Audit Committee's 2017-2018 activities at this meeting. A copy of the report is provided in **Attachment 1**.

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr Peter Perkins

That Council

1. Notes report from the Chair of the Audit Committee, Linda MacRae on the 2017-2018 activities of the Audit Committee.
2. Acknowledges the resignation of Linda MacRae, Audit Committee Chairperson, thanks Ms MacRae for her outstanding contribution to Council over the past 12 years and wishes her all the best in her future endeavours.

CARRIED

12. Officers' reports

OCM.074/18 Buildings and works to construct eleven dwellings Buildings and works to construct eleven dwellings 15 Edmonds Street, Diamond Creek

File: E008/00/015P
Distribution: Public
Manager: Renae Ahern, Acting Manager Planning and Health Services
Author: Simon Ilsley, Senior Statutory Planner

Summary

Consideration of this item was deferred from the Future Nillumbik Committee on Tuesday 15 May 2018.

Application summary

Address of the land	15 Edmonds Street, Diamond Creek
Site area	3,127 square metres
Proposal	Buildings and works to construct eleven dwellings
Application number	302/2017/03P
Date lodged	5 July 2017
Applicant	Deton7
Zoning	General Residential Zone (GRZ)
Overlay(s)	Nil
Reason for being reported	Called in by Ward Councillor.
Number of objections	13
Key issues	<ul style="list-style-type: none"> • Strategic Location • Neighbourhood Character and landscaping • Medium Density Housing Policy • Compliance with Clause 55 (ResCode) • Clause 52.06 – Car Parking

12. Officers' reports

OCM.074/18 Buildings and works to construct eleven dwellings Buildings and works to construct eleven dwellings 15 Edmonds Street, Diamond Creek

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr John Dumaresq

That Council issue a Notice of Refusal to Grant a Permit to the land located at 15 Edmonds Street, Diamond Creek, for buildings and works to construct eleven dwellings on the following grounds:

1. The proposal is contrary to the objectives of Clause 22.01 (Medium Density Housing Policy) of the Nillumbik Planning Scheme, in that the proposed development is not compatible with the existing character of the area due to the development having no regard to the building form and style of surrounding dwellings and the provision of limited open space areas for future canopy tree plantings.
2. The proposed development and in particular the built form, front setbacks and limited landscaping opportunities responds poorly to the preferred future character of this area, contrary to Clause 22.12 (Neighbourhood Character Policy) of the Nillumbik Planning Scheme.
3. The proposed design is not innovative or of a high architectural standard, with the façade articulation and detailing, and the roof forms, not considered consistent with the existing or preferred neighbour character as desired by Clause 55.06-1 of the Nillumbik Planning Scheme.
4. The proposal creates overlooking concerns from dwellings 9 and 10 that do not satisfy Standard B22 at Clause 55.04-6 of the Nillumbik Planning Scheme.

CARRIED

12. Officers' reports

OCM.075/18 Open Space Precinct Plan, Graysharps Road Hurstbridge

File: 0
Distribution: Public
Manager: Neil Hordern, Acting Environment Manager
Author: Paige Macdonald, Leisure Services Project Officer

Summary

This report will inform Councillors of the progress of the Open Space Precinct Plan, Graysharps Road, and Hurstbridge project. Presented in the report is the Draft Precinct Plan to be displayed for community feedback. The report will confirm the next steps in the project and advise of the commencement of the rezoning of the land known as Lot 1 Graysharps Road, Hurstbridge.

Council Resolution

MOVED: Cr Jane Ashton
SECONDED: Cr Bruce Ranken

That Council:

1. Acknowledges and thanks the Project Reference Group for their continual contribution to the project.
2. Endorses the Draft Open Space Precinct Plan, Graysharps Road Hurstbridge.
3. Authorises officers to display the Draft Precinct Plan and implement a process which will allow community members to provide feedback.

CARRIED

Renaë Ahern, Acting Manager Planning and Health Services left the meeting at 8.10pm.

12. Officers' reports

OCM.076/18 Fordhams Road Special Charge Scheme, Eltham - Intention to declare

File:

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Matthew Theuma, Engineer

Summary

On 24 March 2017, Council received a petition signed by property owners in Fordhams Road, Eltham requesting that Council investigate road sealing.

After conducting a survey (with two options for the standard of construction), it was determined that over 60 per cent of property owners support road sealing with a rural standard of construction. Council resolved on 28 November 2017 to proceed with the consultation process for the Fordhams Road Special Charge Scheme, Eltham (Item OCM.135/17). This has now been completed.

This report commences the statutory process to levy the special charge. Council must first give notice of its intention to declare a special charge, and then hear any submissions and/or objections to the scheme. Following this, Council may resolve to declare, vary or abandon the scheme.

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Gives notice of its intention to declare a Special Charge Scheme in accordance with Part 8 of the *Local Government Act 1989*, for the construction of Fordhams Road subject to the following conditions:
 - a) The Special Charge Scheme shall apply to the properties in Fordhams Road, Eltham, as shown in Attachment 1.
 - b) The apportionment cost to each property is based on the method shown in the report and Attachment 2.
 - c) The total estimated cost to each property is shown in Attachment 3 and may be paid as a lump sum or by quarterly instalments over a 10 year period with interest as provided by section 163(1)(b) of the *Local Government Act 1989*.
 - d) The interest rate applicable to instalments paid by each due date is to be one per cent higher than the rate applying to Council in relation to funds borrowed for this project.
 - e) The Special Charge Scheme for Fordhams Road, Eltham shall remain in force for 10 years.
 - f) Within 12 months of the completion of works, a final cost statement will be issued to all properties in Fordhams Road, Eltham and any adjustment to

12. Officers' reports

OCM.076/18 Fordhams Road Special Charge Scheme, Eltham - Intention to declare

liabilities will be made at the time.

- g) The estimated total project cost is \$325,682 with a benefit ratio of 0.9556' (95.56 per cent). The total amount to be levied under this special charge is \$311,213. Council will be contributing \$14,469 for a Council property at 620 Main Road. This amount will be referred to the 2018/2019 Capital Works Program.

CARRIED

12. Officers' reports

OCM.077/18 Assembly of Councillors

File: 10.30.02
Distribution: Public
Manager: Blaga Naumoski, Executive Manager Governance
Author: Emma Christensen, Governance Officer

Summary

In accordance with section 80A(2) of the *Local Government Act 1989*, Council is required to report as soon as practicable to an Ordinary meeting of Council, a record of any Assemblies of Council held.

This report lists assemblies of Councillors forms that have been submitted since that matter was last reported to Council 1 May 2018.

Council Resolution

MOVED: Cr Grant Brooker
SECONDED: Cr Peter Perkins

That Council, in accordance with section 80A(2) of the *Local Government Act 1989*, receives the records of the following assemblies of Councillors:

Date of assembly	Arts Advisory Committee - 27 November 2017		
Matters considered	<ul style="list-style-type: none"> • Minutes arising: acquisitions recommended 23 October 2017 • Arts and Cultural Plan 2018-2022 • Acquisition process for considerations between meetings • Civic Drive outdoor performing arts space • Health and Wellbeing Plan • Australia Day nominations 		
Cr/Staff present	For items/times	Cr/Staff present	For items/times
Cr Karen Egan Cr Jane Ashton	All All	Michelle Zemancheff Grace Longato	All All
Conflict of interest	None declared		

12. Officers' reports

OCM.077/18 Assembly of Councillors

Date of assembly	Arts Advisory Committee – 26 February 2018		
Matters considered	<ul style="list-style-type: none"> • Civic Drive outdoor performing arts venue site visit • Arts and Cultural Plan debrief • Acquisition considerations • Creative Victoria successful funding • Nillumbik Community Fund • Nillumbik Prize • Literary Nillumbik Shire Council Artists Open Studios 30th Anniversary exhibition 		
Cr/Staff present	For items/times	Cr/Staff present	For items/times
Cr Karen Egan	All	Michelle Zemancheff Grace Longato	All All
Conflict of interest	None declared		

Date of assembly	Arts Advisory Committee – 9 April 2018		
Matters considered	<ul style="list-style-type: none"> • Nillumbik Shire Art Collection – removal request • Nillumbik Shire Art Collection – potential acquisitions • Nillumbik Shire Art Collection Policy 2014-2017 review • The Nillumbik Prize review • Business Tourism and Marketing department • New artist residency program • Outdoor performing arts space at Civic Drive 		
Cr/Staff present	For items/times	Cr/Staff present	For items/times
Cr Karen Egan Cr Jane Ashton	All	Michelle Zemancheff Grace Longato	All All
Conflict of interest	None declared		

12. Officers' reports

OCM.077/18 Assembly of Councillors

Date of assembly	Economic Development Advisory Committee - 21 February 2018		
Matters considered	<ul style="list-style-type: none"> Strategic Facilitated Workshop 		
Cr/Staff present	For items/times	Cr/Staff present	For items/times
Cr Karen Egan Cr John Dumaresq Cr Peter Clarke	All All Last 15 Minutes	Adrian Cully Kylie Lethbridge Kate Shannon Darko Popovski	Left earlier All All All
Conflict of interest	None declared		

Date of assembly	Pre Meet to Ordinary Council Meeting – 1 May 2018		
Matters considered	<ul style="list-style-type: none"> Agenda items 		
Cr/Staff present	For items/times	Cr/Staff present	For items/times
Cr Peter Clarke Cr John Dumaresq Cr Karen Egan Cr Peter Perkins Cr Jane Ashton Cr Bruce Rankin Jonathan Risby Lance Clark Jake Hart Dora Ilov Natalie Champion Ian Culbard Emma Christensen Naomi Paton	All All All All All All All All All All All All All All Arrived 5:45pm	Mark Stoermer Blaga Naumoski Adrian Cully Matt Kelleher Hjalmar Philip Vince Lombardi Suzy Ellingsen Jeremy Livingston Mitch Grayson Jon Miller Michelle Zemancheff Craig Commene Mat Deayton Jonathan Risby James Martin	All All All All All All All All All All All All All All Arrived 6 pm
Conflict of interest	None declared		

Assembly	Officer Briefings of Councillors – 8 May 2018		
Location	Council Chambers		
Crs/staff Present	Items	Crs/staff Present	Items
Cr Peter Clarke	All	Mark Stoermer	All
Cr Grant Brooker	All	Blaga Naumoski	All
Cr Karen Egan	All	Adrian Cully	All
Cr Peter Perkins	All	Matt Kelleher	All
Cr Jane Ashton	All	Hjalmar Philip	All

12. Officers' reports

OCM.077/18 Assembly of Councillors

Cr Bruce Rankin	All	Vince Lombardi (left at 5.05pm)	1
Cr John Dumaresq (arrived at 4.46pm)	All	Suzy Ellingsen (arrived at 4.43pm)	
Mikael Ooi (left at 5.25pm)	1&2	Jeremy Livingston (arrived 4.45pm)	
Jon Miller (arrived at 4.55pm)	All	Melanie Holt (arrived at 5.16pm - left at 6.12pm)	2-5
Lisa Pittle	All	Paige Macdonald (arrived at 5pm - left at 6.12pm)	2-5
Joseph Emmanuel	1&2	Melanie Morgan (arrived at 5pm - left at 6.12pm)	2-5
Michelle Zemancheff (arrived at 4.58pm - left at 6.12pm)	1-4	Neil Hordern (arrived at 4.43pm - left at 6pm)	3&4
Grace Longato (arrived at 4.58pm - left at 6.12pm)	1-4	Jon Miller (arrived at 4.55pm - left at 6pm)	1-3
Others	Briony Stephens – Matheson Stephen Valuations (left 6.15pm)		
The assembly commenced	at: 4.30pm		
Matters Considered		Disclosures and Comments	
1.	2018 Property Revaluations (4.30pm – 5.05pm)	Nil	
2.	2018 Property Revaluations (4.30pm – 5.05pm)	Nil	
3.	Lease from Parks Victoria – 130 and 195 Laughing Waters Road Eltham South (5.25pm – 6pm)	Nil	
4.	Kangaroo Ground War Memorial Park & Tower of Remembrance (5.25pm – 6pm)	Nil	
5.	Open Space Precinct Plan (6pm – 6.12pm)	Nil	
6.	Planning Item 15 Edmonds Street Diamond Creek (6.15pm – 6.26pm)	Nil	
7.	CONFIDENTIAL – CEO Employment Matters (6.28pm – 6.33pm)	Nil	
Break		6.35pm-7.05pm	
Council Plan 2017-21 Annual Review a& Annual Plan 2018-19 (7.05pm – 7.20pm)		Nil	
Conflicts of interest	None declared		
The assembly concluded	at: 7.20pm		

12. Officers' reports

OCM.077/18 Assembly of Councillors

Assembly	Positive Ageing Reference Group		
Date	11 May 2018		
Location	Shire Offices		
Crs/staff Present	Items	Crs/staff Present	Items
Cr Jane Ashton	All	Matthew Campbell	All
Corrienne Nichols	1, 2, 4	Maggie Clarke	3
Rebecca Burton	1, 2, 4	Melanie Holt	3, 5, 6, 7, 8
Apologies	Izzy Abuleela		
Matters Considered	Disclosures and Comments		
Update on Positive Ageing Position			
Preliminary results of Ageing Well in Nillumbik			
Services offered by Living & Learning Nillumbik			
Review previous minutes			
Conflicts of interest	None declared		

Assembly	Officer Briefings of Councillors and Pre meet to FNC – 15 May 2018		
Location	Council Chambers		
Crs/staff Present	Items	Crs/staff Present	Items
Cr Peter Clarke	All	Mark Stoermer (left 6.43pm)	1-3
Cr Grant Brooker (arrived 5.04pm)	All	Blaga Naumoski (left 6.43pm)	1-3
Cr Karen Egan	All	Adrian Cully (left 6.43pm)	1-3
Cr Jane Ashton	All	Matt Kelleher (left 6.43pm)	1-3
Cr Bruce Rankin	All	Hjalmar Philip (left 6.43pm)	1-3
Cr John Dumaresq	All	Vince Lombardi (6.38pm)	1-2
Poul Tvermoes (left 6.07pm)	1	Suzy Ellingsen (arr 5.06pm)	All
Paul Fyffe (left 6.07pm)	1	Naomi Paton (left 6.37)	1-2
Emily Physick (left 6.07pm)	1	Mitch Grayson (left 6.43pm)	1-3
		Jonathan Risby (left 6.08)	1
Fae Ballingal (left 5.19pm)	Part 1	Jon Miller (left 6.37pm)	1-2
Anthony Calthorpe (left 6.07pm)	1	Renae Ahern (arr 5.52pm)	3

12. Officers' reports

OCM.077/18 Assembly of Councillors

Kylie Lethbridge (arr 5.50. left 6.13)	Pt 1 & Pt 2	Simon Ilsley (arr 5.52pm)	3
Eddie Cheng (left 6.03pm)	1		
The assembly commenced	at: 5.01pm		
Matters Considered		Disclosures and Comments	
1. Review of Diamond Creek and Eltham Activity Centre Structure Plans (5.02pm)		Nil	
2. 2018-2019 Budget Discussions (6.07pm)		Nil	
3. Pre meet to FNC (6.37pm)		Nil	
4. CONFIDENTIAL – CEO Employment Matters (6.57pm)		Nil	
Conflicts of interest	None declared		
The assembly concluded	at: 6.57pm		

Assembly	Project Reference Group – Open Space Precinct Plan, Graysharps Road, Hurstbridge – 16 May 2018		
Location	Hurstbridge Community Hub		
Crs/staff Present	Items	Crs/staff Present	Items
Cr Karen Egan	All	Paige Macdonald	All
Neil Hordern	All		
Apologies Adrian Cully			
The assembly commenced	at: 6.30pm		
Matters Considered		Disclosures and Comments	
1. Draft Precinct Plan to be presented at OCM 29 May		Nil	
2. Display of Precinct Plan following endorsement		Nil	
3. Planning Scheme Amendment to Lot 1 site		Nil	
4. Next Steps		Nil	
5. Other business			
6. Next Meeting			
Conflicts of interest	None declared		
The assembly concluded	at: 8.00pm		

CARRIED

12. Officers' reports

OCM.078/18 Risk and Insurance Report March Quarter 2018

File: N/A
Distribution: Public
Manager: Jeremy Livingston, Executive Manager Organisational Performance
Author: Craig Commene, Risk Advisor

Summary

This report provides a summary of Council's Risk and Insurance Report for the quarter ending March 2018.

The report is presented in accordance with the Local Government Performance Reporting Framework that commenced on 1 July 2014. This reporting framework requires the presentation of a report to Council at least every six months, detailing the strategic risks, operational risks, the consequences and likelihood of occurrence, and risk mitigation strategies.

Risk and insurance reporting to Council will be tabled each quarter following consideration by the Audit Committee.

A separate report in this agenda provides detailed information for Council consideration. It is recommended that this detailed report remain confidential as it includes information which may prejudice the Council or another person.

Council Resolution

MOVED: Cr Bruce Ranken
SECONDED: Cr John Dumaresq

That Council resolves that the report remain confidential and the resolution of Council be made public.

CARRIED

12. Officers' reports

OCM.079/18 Proposed New Plenty Fire Station - Heads of Agreement

File:

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Jon Miller, Manager Assets and Property

Summary

The Plenty Fire Station is currently located on Council owned land on the corner of Yan Yean Road and Memorial Drive, Plenty (being a part of Plenty Memorial Park).

The current fire station has reached the end of its functional life. The Country Fire Authority (CFA) and Plenty Fire Brigade (the Brigade) have completed extensive investigations over many years into appropriate land in the Plenty area to construct a new and more functional fire station.

The most suitable land identified by the CFA and the Brigade is owned by Council and forms a part of a larger parcel identified as Certificate of Title Volume 11373 Folio 616 (known as part of Plenty Memorial Park).

The CFA lodged the planning permit application for a new station at Plenty in mid-April. A request for further information has been issued and it is expected that the CFA will respond to this request for additional information in mid-June to enable the assessment of the application to proceed. To provide some certainty that they can build the new fire station if the planning permit application is successful, the CFA have formally requested an in-principle agreement whereby Council agrees to sell the required land.

As part of discussions with the CFA in the lead up to the application being lodged, an approach to community consultation that would be more extensive than the standard notice period has been confirmed. In anticipation of local community interest in the new station development, the CFA has agreed to host an information drop in session for interested residents at the start of the public notice period for the planning application. Once the request for further information has been satisfied and the application can progress, invites will be distributed by the CFA to local residents in the Plenty area surrounding the proposed station site. As part of the session, it's planned to maximise the opportunity by also having a Council presence to engage with the local community regarding the future use of the former (current) CFA Plenty Station building that is owned by Council. Planning Officers will also be in attendance to respond to questions about the application and the planning process.

A Heads of Agreement (HoA) outlining the intentions of Council and the CFA has been drafted.

The CFA has advised Council officers of its acceptance of the terms of the HoA and willingness to execute the agreement.

This report informs Councillors of the key terms contained in the HoA and seeks authorisation to proceed with signing and sealing of the agreement.

12. Officers' reports

OCM.079/18 Proposed New Plenty Fire Station - Heads of Agreement

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Peter Perkins

That Council:

1. Notes the report.
2. With CFA agreement, makes public the decision regarding signing and sealing the Head of Agreement between the two parties, but the details of the agreement remain confidential.

CARRIED

12. Officers' reports

OCM.080/18 Tender Report - 1718-126 Supply and Delivery of Bulk Fuels to Operations Centre

File:

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Lisa Pittle, Manager Environment

Summary

This contract is to provide Council with access to a panel of bulk fuel suppliers and to provide efficiencies in administration process associated with procuring bulk fuel supplies.

Council elected to participate in a Local Government group tender by appointing Procurement Australia as its tendering agent in a process to establish a panel of providers for the supply and delivery of bulk fuels.

This contract is to replace the previous contract arrangements undertaken via Contract ID 1415-31 in November 2013 and which expired on 31 March 2018.

The awarding of this tender will support Council in purchasing bulk fuels for operational purposes. The contract period is for an initial period of three (3) years with further options of two additional twelve (12) month terms.

Pursuant to the Instrument of Delegation to the Chief Executive Officer the anticipated value of this contract exceeds the financial limits and a Council resolution is required to accept the recommendation to use this contract.

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Notes the report.
2. Makes public the decision regarding this contract but the tender evaluation remain confidential.

CARRIED

12. Officers' reports

OCM.081/18 Tender Report - Contract 1718-116 Eltham North Reserve Pavilion Redevelopment - Building Works

File: 1718-116
Distribution: Public
Manager: Hjalmar Philipp, Director Sustainability and Place
Author: Steven Blight, Coordinator Construction

Summary

This report recommends the awarding of the contract for the Eltham North Reserve Pavilion Redevelopment Building Works.

The works will involve the demolition of the existing sports pavilion and the construction of a new accessible and female friendly facility for the existing tenants. This includes the construction of a new soccer pavilion, cricket pavilion, change rooms and other shared facilities, storage space, internal alterations to the existing scout hall and community hall, traffic and accessibility improvements and other associated works.

The Tender Evaluation panel has assessed all submissions and this report outlines their evaluation in recommending the awarding of the contract for the Eltham North Reserve Pavilion Redevelopment Building Works.

Pursuant to the Instrument of Delegation to the Chief Executive Officer the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract/s.

Council Resolution

MOVED: Cr Bruce Ranken
SECONDED: Cr John Dumaresq

That Council:

1. Notes the report.
2. Makes public the decision regarding this contract but the tender evaluation remain confidential.

CARRIED

12. Officers' reports

OCM.082/18 Tender Report - Contract 1718-103 Redevelopment of the Diamond Valley Sports and Fitness Centre - Project Management Services

File: 1718-103
Distribution: Public
Manager: Hjalmar Philipp, Director Sustainability and Place
Author: Mathew Deayton, Manager Infrastructure

Summary

This report recommends the awarding of the contract for the Project Management Services for the Redevelopment of the Diamond Valley Sports and fitness Centre, Greensborough.

The project involves:

- Construction of three new courts.
- Upgrade one existing court to meet current runoff standards.
- Include spectator seating for 1800 people.
- New entrance, foyer, café, reception and basketball administration/social space.
- Public amenities, referee room and storage.
- Refurbishment of office spaces and change rooms.

Concept plans have been developed in consultation with all stakeholders and these will be developed into full detailed design plans, specification and tender documentation to allow for the appointment of a builder to undertake construction of the new facility.

The Tender Evaluation panel has assessed all submissions and this report outlines their evaluation in recommending the awarding of the contract for the Redevelopment of the Diamond Valley Sports and Fitness Centre Project Management Services.

Council Resolution

MOVED: Cr Grant Brooker
SECONDED: Cr Peter Perkins

That Council:

1. Notes the report.
2. Makes public the decision regarding this contract but the tender evaluation remain confidential.

CARRIED

12. Officers' reports

OCM.083/18 Tender Report - Contract 1718-122 - Eltham Central Oval - Design and Construction of Sportsfield Lighting

File: 1718-122
Distribution: Public
Manager: Hjalmar Philipp, Director Sustainability and Place
Author: Jake Hart, Project Management Officer

Summary

This report recommends the awarding of the contract for the Eltham Central Oval – Design and Construction of Sportsfield Lighting.

The works will involve the design and construction of a sports field LED lighting system for Eltham Central Oval. The lighting system will be designed to have the ability to be switched on at either 150 lux average (for match play) or 100 lux average (for training).

The Tender Evaluation panel has assessed all submissions and this report outlines their evaluation in recommending the awarding of the contract for the Eltham Central Oval – Design and Construction of Sportsfield Lighting.

Pursuant to the Instrument of Delegation to the Chief Executive Officer the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract.

Council Resolution

MOVED: Cr Bruce Ranken
SECONDED: Cr John Dumaresq

That Council:

1. Notes the report.
2. Makes public the decision regarding this contract but the tender evaluation remain confidential.

CARRIED

12. Officers' reports

OCM.084/18 Tender Report - 1718-91 Community Bank Stadium Solar, Storage and EV Charge station

File:

Distribution: Public

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Ian Culbard, Sustainability Officer

Summary

Through the adoption of Nillumbik's Climate Change Action Plan 2016-2020, Nillumbik Council has committed to reduce Council's operation reliance on fossil fuels. In addition to making substantial improvements to buildings to improve thermal efficiency, Council made a commitment to implement a range of renewable energy installations to reduce Council's reliance on grid power, the cost of electricity use and the cost of purchasing carbon offsets.

This report considers the awarding of the contract for the supply and installation of solar photovoltaic (PV) systems, battery storage and an Electrical Vehicle (EV) charging station at the Community Bank Stadium in Diamond Creek.

The work covered by this contract consists of supplying all labour, supervision, materials and equipment necessary in connection with the solar PV/ battery storage system and EV charging station being complete, commissioned and tested, ready for service.

The Tender Evaluation Panel (TEP) has assessed all submissions and this report outlines their evaluation in recommending the awarding of the contract.

Pursuant to the Instrument of Delegation to the Chief Executive Officer the value of this contract exceeds the specified financial limits and a Council resolution is therefore required to award the contract/s.

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr John Dumaresq

That Council:

1. Notes the report.
2. Makes public the decision regarding this contract but the tender evaluation remain confidential.

CARRIED

13. Notices of Motion

14. Delegates' Reports

15. Supplementary and urgent business

Nil

16. Confidential reports

The Meeting may be closed to members of the public to consider confidential matters.

Council Resolution

MOVED: Cr Jane Ashton

SECONDED: Cr Bruce Ranken

That Council closes the meeting to the public pursuant to section 89(2) of the *Local Government Act 1989* to consider the following items, which are confidential for the reasons indicated:

Report No.	Title	Reason for confidentiality
OCM.085/18	Risk and Insurance Report March Quarter 2018	(h) any other matter which the Council or special committee considers would prejudice the Council or any person
OCM.086/18	Proposed New Plenty Fire Station - Heads of Agreement	(d) contractual matters
OCM.087/18	Tender Report - 1718-126 Supply and Delivery of Bulk Fuels to Operations Centre	(d) contractual matters
OCM.088/18	Tender Report - Contract 1718-116 Eltham North Reserve Pavilion Redevelopment - Building Works	(d) contractual matters
OCM.089/18	Tender Report - Contract 1718-103 Redevelopment of the Diamond Valley Sports and Fitness Centre - Project Management Services	(d) contractual matters
OCM.090/18	Tender Report - Contract 1718-122 - Eltham Central Oval - Design and Construction of Sportsfield Lighting	(d) contractual matters
OCM.091/18	Tender Report - 1718-91 Community Bank Stadium Solar, Storage and EV Charge station	(d) contractual matters

CARRIED

The meeting was closed to the public at 8.40pm.

The Council considered and resolved on Report Items OCM.085/18, OCM.086/18, OCM.087/18, OCM.088/18, OCM.089/18, OCM.090/18 and OCM.091/18 which had been circulated to Councillors with the Council Agenda paper.

16. Confidential reports

OCM.085/18 Risk and Insurance Report March Quarter 2018

File: N/A

Distribution: Confidential under Section 89(2)(h) of the *Local Government Act 1989* (any other matter)

Manager: Jeremy Livingston, Executive Manager Organisational Performance

Author: Craig Commene, Risk Advisor

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Notes the summary of the confidential Risk and Insurance report for the quarter ending March 2018.
2. Resolves that the report remains confidential in accordance with sections 77 and 89(2) of the Local Government Act 1989.
3. Resolves to make the resolution of Council public.

CARRIED

16. Confidential reports

OCM.086/18 Proposed New Plenty Fire Station - Heads of Agreement

File:

Distribution: Confidential under Section 89(2)(d) of the *Local Government Act 1989* (contractual matters)

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Jon Miller, Manager Assets and Property

Council Resolution

MOVED: Cr Grant Brooker

SECONDED: Cr Peter Perkins

That Council:

1. Notes the report.
2. With CFA agreement, makes public the decision regarding signing and sealing the Head of Agreement between the two parties, but the details of the agreement remain confidential.

CARRIED

16. Confidential reports

OCM.087/18 Tender Report - 1718-126 Supply and Delivery of Bulk Fuels to Operations Centre

File:

Distribution: Confidential under Section 89(2)(d) of the *Local Government Act 1989* (contractual matters)

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Lisa Pittle, Manager Environment

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Endorses the use of Procurement Australia's Contract Number 2003-0107 for Supply and Delivery of Bulk Fuels and the appointment of Caltex Australia Pty Ltd as the primary supplier of bulk fuels to Council.
2. Authorises the Director Sustainability and Place to finalise and execute the contract documentation.
3. Authorises the Director Sustainability and Place to review the performance of the contract and determine to approve each extension period of 12 months to a maximum of two periods.

CARRIED

16. Confidential reports

OCM.088/18 Tender Report - Contract 1718-116 Eltham North Reserve Pavilion Redevelopment - Building Works

File: 1718-116

Distribution: Confidential under Section 89(2)(d) of the *Local Government Act 1989* (contractual matters)

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Steven Blight, Coordinator Construction

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Enters into a Contract with Keith Miller and Sons Builders Pty Ltd for the Eltham North Reserve Pavilion Redevelopment Building and Services Works, for the amount of \$3,628,240.00 (inclusive of GST).
2. Authorises the Director Sustainability and Place to finalise and execute the contract documentation.
3. Advises all tenderers accordingly.

CARRIED

16. Confidential reports

OCM.089/18 Tender Report - Contract 1718-103 Redevelopment of the Diamond Valley Sports and Fitness Centre - Project Management Services

File: 1718-103

Distribution: Confidential under Section 89(2)(d) of the *Local Government Act 1989* (contractual matters)

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Mathew Deayton, Manager Infrastructure

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Enters into a contract with Ontoit Global Pty Ltd for project management services to support the partial Redevelopment of the Diamond Valley Sports and Fitness Centre for the amount of \$125,400 (inclusive of GST).
2. Authorises the Director, Sustainability and Place to finalise and execute the contract documentation.
3. If, during the term of the contract, funding for the Three Court Expansion Package becomes available, authorises the Director, Sustainability and Place to enter into discussions and expand the contract for project management services with Ontoit Global Pty Ltd for increased scope of works.
4. Advises all tenderers accordingly.

CARRIED

16. Confidential reports

OCM.090/18 Tender Report - Contract 1718-122 - Eltham Central Oval - Design and Construction of Sportsfield Lighting

File: 1718-122

Distribution: Confidential under Section 89(2)(d) of the *Local Government Act 1989* (contractual matters)

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Jake Hart, Project Management Officer

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Enters into a Contract with Hilite Electrics for the Eltham Central Oval – Design and Construction of Sportsfield Lighting, for the amount of \$230,161.99 (inclusive of GST).
2. Authorises the Director, Sustainability and Place to finalise and execute the contract documentation.
3. Advises all tenderers accordingly.

CARRIED

16. Confidential reports

OCM.091/18 Tender Report - 1718-91 Community Bank Stadium Solar, Storage and EV Charge station

File:

Distribution: Confidential under Section 89(2)(d) of the *Local Government Act 1989* (contractual matters)

Manager: Hjalmar Philipp, Director Sustainability and Place

Author: Ian Culbard, Sustainability Officer

Council Resolution

MOVED: Cr Bruce Ranken

SECONDED: Cr John Dumaresq

That Council:

1. Accepts the tender of EnviroGroup for the installation of a solar photovoltaic system using lithium ion battery technology and EV charging station at the Community Bank Stadium in Diamond Creek, for the amount of \$475,240 (including GST).
2. Authorises the Director, Sustainability and Place to finalise and execute the contract documentation.
3. Advises all tenders accordingly.

CARRIED

Reopening of meeting

Council Resolution

MOVED: Cr Peter Perkins

SECONDED: Cr John Dumaresq

That the meeting be reopened to members of the public.

CARRIED

The meeting reopened at 8.45pm.

Close of meeting

The meeting closed at 8.45pm.

Confirmed: _____
Cr Peter Clarke, Mayor